

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

NOVARTIS CORPORATION, NOVARTIS :  
PHARMACEUTICALS CORPORATION, :  
and NOVARTIS INTERNATIONAL AG, : Civil Action No.: 04-4473(GEB)(ES)

Plaintiffs,

v.

ORDER

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

NOVARTIS CORPORATION, NOVARTIS :  
PHARMACEUTICALS CORPORATION, : Civil Action No.: 08-686 (GEB)(ES)  
and NOVARTIS INTERNATIONAL AG,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

THIS MATTER having come before the Court by letter motion from plaintiffs dated August 13, 2010, and opposition from defendant dated August 23, 2010, and the Court having conducted a telephonic hearing and status conference on September 10, 2010,

IT IS on this 20<sup>th</sup> day of September, 2010,

ORDERED as follows:

1. Plaintiffs' request as set forth in their August 13, 2010 letter that the Court compel production of all prior licenses entered into by defendant in connection with

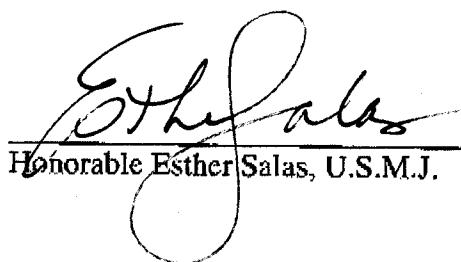
settlement of any Hatch-Waxman litigation involving an “at-risk” launch of a generic product is DENIED.

2. Not later than September 17, 2010, defendant shall provide to plaintiffs a list of the last 10 Hatch-Waxman litigations involving an “at-risk” launch in which defendant entered into a settlement agreement. For each such litigation, defendant shall identify the drug product involved, the case caption and the patent(s)-in-suit.

3. Upon defendant providing the information set forth in paragraph 2, during the week of September 20, 2010, the parties shall meet and confer regarding production of the settlement documents sought by plaintiffs, including the comparability of the patents-in-suit in the settled litigations to the patent-in-suit in this action.

4. No later than September 20, 2010, defendant shall provide to plaintiffs a status report as to the production of all outstanding samples of commercial products requested by plaintiffs, and during the week of September 20, 2010, the parties shall meet and confer regarding production of samples of defendant’s ANDA products and its effect, if any, on the expert discovery schedule.

5. By September 28, 2010, the parties shall submit to the undersigned a joint letter regarding the status of the matters set forth above.



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Honorable Esther Salas, U.S.M.J.